

**Listing of Claims:**

1. (Currently Amended) A non-ionic rubber modified styrenic resin composition with at least improved toughness properties, said non-ionic rubber modified styrenic resin composition ~~comprising~~ consisting of:

from about 92.0% to about 99.9% by weight of a non-ionic rubber modified styrene maleic anhydride copolymer;

from about 0.1% to about 8.0 % by weight of polybutene based on the weight of the non-ionic rubber modified styrenic resin composition; [[,]] and

optionally, customary additives including stabilizers, antioxidants, lubricants, fillers, pigments, and/or plasticizers; and

wherein said non-ionic rubber modified styrenic resin composition is produced in a polymerization process and said polybutene is part of the reactive mixture of said styrene, said maleic anhydride and said rubber in said polymerization process.

2. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 1 wherein the amount of said polybutene ranges from about 2 to about 6 weight percent based on the weight of the rubber modified styrenic resin composition.

3. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 2 wherein the amount of said polybutene ranges from about 3% to about 5% by weight based on the weight of the rubber modified styrenic resin composition.

4. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 1 wherein said polybutene has a number average molecular weight ranging from about 900 to about 2500.

5. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 4 wherein said polybutene has a number average molecular weight ranging from about 900 to about 1300.

6. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 1 wherein said rubber modified styrenic resin composition is prepared by adding the polybutene to styrene monomers, maleic anhydride, and rubber in a polymerization reactor vessel under free radical polymerization techniques.

7. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 1 wherein said rubber modified styrenic resin composition is prepared by adding the polybutene to partially polymerized syrup comprised of rubber, styrene, and maleic anhydride after the syrup exits a polymerization reactor vessel and enters a devolatilizer.

8. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 1 wherein said rubber modified styrene maleic anhydride copolymer is comprised of from about 2% to about 25% by weight of maleic anhydride and from about 4% to about 20% by weight of rubber based on the weight of said rubber modified styrene maleic anhydride copolymer.

9. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 8 wherein the amount of rubber ranges from about 8% to about 15% by weight.

10. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 8 wherein the particle size of the rubber ranges from about 0.1 micron to about 11 microns.

11. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 10 wherein the particle size of the rubber is less than 6 microns.

12. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 11 wherein the particle size of the rubber ranges between from about 0.1 micron to about 5 microns.

13. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 8 wherein said rubber is polybutadiene.

14. (Currently Amended) [[A]] The non-ionic rubber modified styrenic resin composition of claim 8 wherein said rubber is selected from the group consisting of high cis polybutadiene and medium cis polybutadiene.

15. (Currently Amended) An article produced from the non-ionic rubber modified styrenic resin composition of claim 1.

16. (Currently Amended) A container suitable for use in microwave heating of food and formed from the non-ionic rubber modified styrenic resin composition of claim 1.

17. (Currently Amended) A multi-layer container suitable for use in microwave heating of food, said container comprising a substrate layer and a layer comprised of the non-ionic rubber modified styrenic resin composition of claim 1.

18. (Currently Amended) A method for preparing the non-ionic rubber modified styrenic resin composition of claim 1, the steps comprising:

in said polymerization process, adding the polybutene to partially polymerized syrup comprised of rubber, styrene, and maleic anhydride after the syrup exits a reactor and enters a devolatilizer.

19. (Currently Amended) A method for preparing the non-ionic rubber modified styrenic resin composition of claim 1, the steps comprising:

for the polymerization process, forming a solution of the polybutene, maleic anhydride, and rubber by dissolving the polybutene, the maleic anhydride and the rubber in styrene monomer,

continuously feeding the solution with said styrene monomer into a polymerization reactor vessel, and

devolatilizing the stream exiting the polymerization reactor vessel thereby producing the non-ionic rubber modified styrenic resin composition.

20. (Currently Amended) A method for preparing the non-ionic rubber modified styrenic resin composition of claim 1, the steps comprising:

for the polymerization process, adding polybutene and styrene maleic anhydride rubber feed separately into a polymerization reactor vessel,

polymerizing the styrene maleic anhydride feed in the presence of the polybutene and the rubber in the polymerization reactor vessel, and

devolatilizing the stream exiting the polymerization reactor vessel thereby producing said non-ionic rubber modified styrenic resin composition.

21. (Currently Amended) A method for preparing the non-ionic rubber modified styrenic resin composition of claim 1, the steps comprising:

for the polymerization process, forming a solution of maleic anhydride and rubber in styrene monomer,

continuously feeding said solution with said styrene monomer into a polymerization reactor vessel to produce a partially polymerized styrenic syrup,

adding the polybutene to said partially polymerized styrenic syrup after it exits the reactor vessel and

devolatilizing the stream after the polybutene has been added to the partially polymerized styrenic syrup thereby producing the non-ionic rubber modified styrenic resin composition.

22 - 24 (Cancelled)